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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,164	12/15/2003	Deuk-Hwan Chang	1793.1040	2100
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER LEE, CHEUKFAN	
			ART UNIT 2625	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,164

Applicant(s)

CHANG, DEUK-HWAN

Examiner

Cheukfan Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 10, 12, and 14-16 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9, 11 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. Claims 1-16 are pending. Claim 1 is independent.
2. Claims 11 and 13 are objected to because of the following:

In claims 11 and 13, "the motor" lacks antecedent basis.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipate by Bright et al. (U.S. 4,975,735).

Regarding claim 1, Bright et al. discloses a scanner apparatus (col. 3, lines 19-20, col. 2, lines 3-11, col. 3, lines 35-42) comprising a carrier sheet (110 in Fig. 5, col. 4, lines 27-42 and col. 5, lines 49-66) including a base sheet (refer to second part 12 of white sheet material) and a plurality of scan sheets (first parts 11 of transparent sheet material, col. 3, lines 26-29 and col. 4, lines 27-42) attached to the base sheet and in which each of a plurality of documents of small sizes, which inherently include photos, is inserted between the base sheet and the respective scan sheets (pockets 111 and 112 in Fig. 5) through a side (side opening 117, side opening 22 in Fig. 5) of each of the scan sheets that is not adhered, a feed roller driven by a power source (both inherent in the automatic document feeding device, col. 1, line 17, col. 3, lines 39-40, and col. 5,

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lines 62-65) and moves the carrier sheet (110) inherently at a uniform line velocity, and a scan unit (col. 3, lines 19-20, col. 2, lines 3-11, col. 3, lines 35-42) for scanning an image in the photos inserted in the carrier sheet (110).

Regarding claim 4, the scan sheets (parts 11 of transparent material, col. 3, lines 26-29 and 27-42, or see transparent pockets 111 and 112 of Fig. 5, col. 4, lines 27-42) are formed of a transparent material.

Regarding claim 5, all positions or lines sensed by the sensor of the scanner inherently include a scanning start position and a scanning end position of each of the photo inserted in the carrier sheet. This feature of Bright et al. meets the claim limitation to the extent of the claim.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. in view of Kawai et al. (US 6,043,866).

Regarding claim 2, Bright et al. discussed above for claim 1 does not disclose the detail of the feed roller of the automatic document feeding device (col. 1, line 17, col. 3, lines 39-40, and col. 5, lines 62-65).

Kawai et al. discloses a document feeder (Figs. 1-3) for feeding a carrier sheet having a document inserted therein, comprising a feed roller (14) having a plurality of teeth formed on both sides of an outer circumference thereof at predetermined intervals (col. 4, lines 18-36). One of ordinary skill in the art would have realized that the teeth of the roller (14) increases the friction between the roller (14) and the carrier sheet or a document being fed, allowing easy feeding of the carrier sheet.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a roller having teeth as the roller in the automatic document feeding device of Bright et al. in order to allow easy feeding of the carrier sheet.

Regarding claim 10, Bright et al. discussed above for claim 1 does not disclose the detail of the automatic document feeding device (col. 1, line 17, col. 3, lines 39-40, and col. 5, lines 62-65).

Kawai et al. discloses a document feeder (Figs. 1-3) for feeding a carrier sheet having a document inserted therein to a scan unit (21) (col. 4, lines 18-36). A roller (12) is a tension roller according to the description "these rollers [12 and 13] are urged against the rollers 11 and 14 having their centers of rotation fixed" (Fig. 3, col. 4, lines 33-34). The roller 12 meets the claimed tension roller

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7. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (US 4,975,735) in view of Kawai et al. (US 6,043,866) as applied to claims 2 and 10 above, and further in view of well known art.

The apparatus of Bright et al. in view of Kawai et al. is discussed above for claims 2 and 10.

Regarding claim 3, Kawai et al. does not disclose a plurality of feeding holes formed on both sides of the carrier sheet for the teeth of the roller (14 of Kawai et al.) to insert so that the carrier sheet moves when the feed roller is rotated. However, the examiner took Official Notice of the fact that such feature is well known in the art of advancing printed material/paper in computer related equipment (such as a recording device). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the well known concept to have the carrier of Bright et al. in view of Kawai et al. formed with holes at both sides thereof for the teeth of the roller (14 of Kawai et al.) to insert, in order to allow easy advancing and feeding of the carrier sheet.

Regarding claim 12, Bright et al. does not disclose the detail of the automatic document feeding device (see col. 1, line 17, col. 3, lines 39-40, and col. 5, lines 62-65), and Kawai et al. does not disclose a linear velocity of an outer circumference of a feed roller being the same as that of an outer circumference of the tension roller (see Fig. 3 of Kawai et al.). However, the examiner took Official Notice of the fact that the concept of employing two rollers having circumferences that provide the same linear velocity,

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and located upstream and downstream, respectively, of a scan unit or reading unit, is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the well known concept to provide the apparatus of Bright et al. and Kawai et al. with the features as claimed in order to ensure smooth transporting of the carrier sheet.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (US 4,975,735) in view of well known art.

Regarding claim 8, the apparatus of Bright et al. discussed for claim 1 above does not disclose a calibration unit for optically calibrating the scan unit. However, the examiner took Official Notice of the fact that calibration units for optically calibrating scan unit are well known in the art of scanner calibration. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the apparatus of Bright et al. with a calibration unit to optical calibrate the scan unit as is well known in the art to ensure quality of the output of the scan unit.

9. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (US 4,975,735) in view of well known art.

Regarding claims 14-16, although Bright et al. discussed above for claim 1 does not disclose the claim limitations, i.e., automatically storing, as a desired image file format, image data that is scanned using a function key for setting an image file format, a selection key to set a device to control the storage of scanned image data, and a front

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cover being opened during a scanning operation and used as a tray to support a sheet of paper or other material, the examiner took Official Notice of the fact that such features are not novel but well known in the art or file management and document/paper handling. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the apparatus of Bright et al. with any of the well known features to easily manage filing of the scanned data or to support the document.

10. Claims 6, 7 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 11 and 13 would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

12. The following is an examiner's statement of reasons for allowance:

Claim 6 would be allowable because none of Bright et al. (4,975,735) and Kawai et al. (6,043,866) disclose a plurality of sensing holes formed in the carrier sheet so that the sensor senses the scanning start position and the scanning end position as claimed. See discussion for claim 5 on which claim 6 depends.

Claim 7 depends on claim 6.

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Claim 9 would be allowable over the prior art of record because the prior art, including Bright et al. (4,975,735) does not disclose that a power transmission unit is provided between the feed roller and the calibration unit, for transmitting a driving force of the feed roller to the calibration unit. See discussion for claim 8 on which claim 9 depends.

Claims 11 and 13 would be allowable for the reason similar to the reason given for claim 9. A power transmission unit provided between the tension roller or the feed roller and [the power source], for transmitting the driving force of [the power source] to the tension roller or the feed roller, is not taught by the prior art of record, including Bright et al. (4,975,735) and Kawai (6,043,866). See discussion for claim 10 upon which claim 11 depends.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bennett (US 6,090,470)

Harel et al. (U.S. Patent Application Publication No. 2005/0286091 A1), filed Jun. 25, 2004, Fig. 17b, image bearing medium (carrier sheet)

Poulsen et al. (US 6,529,295)

Ando et al. (US 5,659,838)

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
September 28, 2007